

SEP 27 2011

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISIONU.S. DISTRICT COURT
WESTERN DISTRICT OF NCIN RE FAMILY DOLLAR
FLSA LITIGATIONMDL DOCKET NO: 3:08-md-01932-GCM
Judge Graham C. Mullen

Concerning Daniels, et al. v. Family Dollar
Stores, Inc., Family Dollar Stores of
Michigan, Inc.
Michigan Eastern, No. 2:09-cv-14075

ORDER

It is hereby STIPULATED and AGREED, by and between the undersigned, as follows:

1. Pursuant to Rule 15(a) of the Federal Rules of Civil Procedure, the Complaint in this action is amended, such that originating Plaintiff Macita Daniels' collective action allegations (§216(b)) under the Fair Labor Standards Act ("FLSA"), 29 U.S.C. § 201, *et seq.*, her Michigan Minimum Wage Law of 1964, as amended ("MMWL"), Mich. Comp. Laws § 408.381, *et seq.*, and the class action allegations (Fed. R. Civ. P. 23) based upon the MMWL, are **DISMISSED WITH PREJUDICE**, with each party bearing their own fees and costs, and, going forward, this action shall be limited to Plaintiff Macita Daniels' individual claims arising under the FLSA.

2. Defendant's entry into this Stipulation and [Proposed] Order shall not be construed as a waiver of its opposition to any request by Plaintiff that this action be remanded to the Eastern District of Michigan, Southern Division pursuant to JPML Rule 10.1.

AGREED, this 26th day of September, 2011:

s/Andrew P. Bell

Michael A. Galpern, Esq.
Andrew P. Bell, Esq.
LOCKS LAW FIRM, LLC
457 Haddonfield Road, Suite 500

s/ Amy Ramsey

Amy S. Ramsey, Esq.
John A. Ybarra, Esq.
Jeremy Stewart, Esq.
Littler Mendelson PC

Cherry Hill, New Jersey 08002
Tel: 856-663-8200
Fax: 856-661-8400
Email: mgalpern@lockslaw.com
abell@lockslaw.com

s/ Mitchell S. Cohen

Mitchell S. Cohen, Esq.
612 Manor Road
Penn Valley, PA 19072
Tel: 215-219-4747
Fax: 610-617-8519
Email: abrn101@aol.com


Attorneys for Plaintiffs

200 North LaSalle Street, Suite 2900
Chicago, IL 60601-1014
Tel: 312-372-5520
Fax: 312-372-7880
Email: ARamsey@littler.com
JYbarra@littler.com
JStewart@littler.com

Gary C. Ankers, Esq.
Littler Mendelson PC
200 Renaissance Center
Detroit, Michigan 48243
Tel: 313-202-3222
Fax: 313-446-6405
Email: GAnkers@littler.com

Attorneys for Defendants

SO ORDERED, this 27th day of September, 2011.


UNITED STATES DISTRICT JUDGE